

3. (reiterated) The polynucleotide of claim 1, comprising nucleotides about 1223 to about 2239 of SEQ ID NO:1.

4. (reiterated) The polynucleotide of claim 1, comprising nucleotides about 1 to about 2239 of SEQ ID NO:1.

5. (reiterated) The polynucleotide of claim 1 comprising nucleotides about 430 to about 2239 of SEQ ID NO:1.

SUB E2
Q2 54. (amended) An adenovirus vector comprising an adenoviral gene essential for replication under transcriptional control of a uroplakin II (UPII) transcriptional response element (TRE). *1122d*

SUB E3
Q3 56. (amended) An adenovirus vector according to claim 54, wherein the adenoviral gene is an adenoviral early gene. *1122d*

Q4 58. (amended) An adenovirus vector according to claim 56, wherein the adenoviral early gene is E1A.

59. (amended) An adenovirus vector according to claim 56, wherein the adenoviral early gene is E1B.

60. (reiterated) The adenovirus vector of claim 59, wherein E1B has a deletion of the 19-kDa region.

61. (reiterated) An adenovirus vector according to claim 54, wherein the adenoviral gene is an adenoviral late gene. *1122d*

Q5 63. (amended) An adenovirus vector according to claim 62, wherein the uroplakin gene TRE is derived from a mouse uroplakin II gene. *1122d*

SUB E5 64. (amended) An adenovirus vector according to claim 63, wherein the TRE comprises nucleotides about -587 to about +1 of SEQ ID NO:2.

65. (amended) An adenovirus vector according to claim 63, wherein the TRE comprises

nucleotides about -965 to about +1 of SEQ ID NO:2.

SUB E5
cont

66. (amended) An adenovirus vector according to claim 62, wherein the uroplakin II TRE is derived from a human uroplakin II gene.

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67. (amended) An adenovirus vector according to claim 54, wherein said TRE comprises nucleotides 1-2239 of SEQ ID NO:1.

SUB E6

68. (amended) An adenovirus vector according to claim 54, wherein said TRE comprises nucleotides 2023-2239 of SEQ ID NO:1.

69. (amended) An adenovirus vector according to claim 54, wherein said TRE comprises nucleotides 430-2239 of SEQ ID NO:1.

SUB E7

70. (amended) An adenovirus vector comprising
(a) an adenovirus gene essential for replication under transcriptional control of a uroplakin II transcriptional regulatory element (TRE); and
(b) an E3 region.

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72. (amended) The adenovirus vector of claim 70, wherein the adenovirus gene is an early gene.

73. (amended) The adenovirus vector of claim 72, wherein the early gene is E1A.

74. (reiterated) The adenovirus vector of claim 72, wherein the early gene is E1B.

75. (reiterated) The adenovirus vector of claim 74, wherein E1B has a deletion of the 19-kDa region.

76. (reiterated) The adenovirus vector of claim 72, wherein the early gene is E4.

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SUB E8

78. (amended) The adenovirus vector according to claim 77, wherein the uroplakin II TRE is derived from a mouse uroplakin II gene.

SUBES
M
cont

79. (amended) The adenovirus vector according to claim 77, wherein the uroplakin II TRE is derived from a human uroplakin II gene.

80. (amended) A composition comprising the adenoviral vector of claim 54 and a pharmaceutically acceptable excipient.

81. (amended) A composition comprising the adenoviral vector of claim 70 and a pharmaceutically acceptable excipient.

82. (reiterated) A host cell comprising the adenoviral vector of claim 54.

83. (reiterated) A host cell comprising the adenoviral vector of claim 70.

Please add the following new claims:

104. (new) The adenovirus vector of claim 54, further comprising a polynucleotide encoding adenoviral death protein (ADP).

df

105. (new) The adenovirus vector of claim 70, further comprising a polynucleotide encoding adenoviral death protein (ADP).

106. (new) The adenovirus vector of claim 54, further comprising a GM-CSF gene.

107. (new) The adenovirus vector of claim 70, further comprising a GM-CSF gene.

REMARKS

In response to the Restriction Requirement, Applicants herein elect the invention of Group I, claims 1-50, 54-83, 96-97 and 103, for examination. Claims 6-53, 55, 57, 62, 71, 77, 84-103 are canceled. New claims 104-107 are added. Claims 1-5, 54, 56, 58-61, 63-70, 72-76, 78-83 and 104-107 are pending. Claims 1, 54, 56, 58-59, 63-70, 72-73, and 78-81 are amended. No new matter is added. Support for the amending language of Claims 106-107 may be found in the specification on page 85, line 25. Support for the amending language of Claims 104-105 may be found in the specification on 24, lines 4-19.

Applicants submit that all of the claims are now in condition for allowance, which action is